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GlaxoSmithKline

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Company USPTO

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From Marjorie J. Pfeiffer

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Date May , 2005 Pages including cover 16

Subject Response to Notification of Missing Requirements

GlaxoSmithKline
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Re: Application of Trevor Charles ROCHE et al.
Serial No.: 10/510,968; Int'l. Appl. No.: PCT/GB03/01595
Title: *Dry Powder Inhalant Composition*
Attorney Docket No. PG4715USw

Attached is:

1. Transmittal Letter (2nd page in duplicate)
2. Combined Declaration and Power of Attorney (2 pages)
3. Copy of Preliminary Amendment filed with the application (8 pages)
4. Copy of Notification of Missing Requirements under 35 USC 371, date mailed 03/10/2005

Certificate of Transmission by Facsimile (37 CFR 1.8)

I hereby certify that this Response to Notification of Missing Requirements is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-305-3230) on May 9, 2005.

Marjorie J. Pfeiffer
Marjorie J. Pfeiffer

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FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE: U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

PG4715USw

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/510,968

INTERNATIONAL APPLICATION NO.
PCT/GB03/01595INTERNATIONAL FILING DATE
10 April 2003PRIORITY DATE CLAIMED
13 April 2002

TITLE OF INVENTION

DRY POWDER INHALANT COMPOSITION

APPLICANT(S) FOR DO/EO/US

Trevor Charles ROCHE; Pallav Arvind BULSARA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the Inventor(s) (35 U.S.C. 371 (c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
16. A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. A substitute specification.
18. A power of attorney and/or change of address letter.
19. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. Express Mail Label No.
23. Other items or information:

Copy of Notice of Missing Requirements under 35 USC 371, date mailed 03/10/2005; copy of Preliminary Amendment showing a total of 24 claims (claim 13 was canceled).

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Under the Paperwork Reduction Act of 1995, persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)

10/510,968

INTERNATIONAL APPLICATION NO.

PCT/GB03/01595

ATTORNEY'S DOCKET NUMBER

PG4715USw

The following fees are submitted:

		CALCULATIONS		PTO USE	
24. <input type="checkbox"/>	Basic national fee	\$300	\$	\$0.00	
25. <input type="checkbox"/>	Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).	\$100	\$	\$0.00	
	All other situations.	\$200			

26. <input type="checkbox"/>	Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.	\$100			
	International Search Report prepared and provided to the Office	\$400			
	All other situations.	\$500	\$	\$0.00	

TOTAL OF 24, 25 and 26 =

Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	
- 100 =	0 /50 =	0	x	\$ \$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =	0	x \$18.00	\$ \$0.00
Independent claims	- 3 =	0	x \$88.00	\$ \$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable)	<input type="checkbox"/>	+		\$ \$0.00

TOTAL OF ABOVE CALCULATIONS =

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.29, 3.31). \$40 per property +

TOTAL FEES ENCLOSED =

Amount to be	\$
Amount to be	\$

- A check in the amount of \$ _____ to cover the above fees is enclosed.
- Please charge my Deposit Account No. 07-1392 In the amount of \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392. A duplicate copy of this sheet is enclosed.
- Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

CUSTOMER NUMBER

23347


5/6/05
SIGNATURE
James P. Riek
NAME
39,009
REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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JPM/JPRI/ADS/mai

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/510,968	Trevor Charles Roche	PG4715USw

23347

DAVID J LEVY, CORPORATE INTELLECTUAL PROPERTY
GLAXOSMITHKLINE
FIVE MOORE DR., PO BOX 13398
RESEARCH TRIANGLE PARK, NC 27709-3398

INTERNATIONAL APPLICATION NO.

PCT/GB03/01595

I.A. FILING DATE	PRIORITY DATE
04/10/2003	04/13/2002

CONFIRMATION NO. 6143
371 FORMALITIES LETTER



OC000000015394626

Date Mailed: 03/10/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/12/2004
- Copy of the International Search Report filed on 10/12/2004
- Copy of IPE Report filed on 10/12/2004
- Copy of Annexes to the IPER filed on 10/12/2004
- Preliminary Amendments filed on 10/12/2004
- Information Disclosure Statements filed on 10/12/2004
- Copy of references cited in ISR filed on 10/12/2004
- U.S. Basic National Fees filed on 10/12/2004
- Priority Documents filed on 10/12/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$50 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

Docket No: PG 4715 US W
Attorney: JPR (ADS)
Paper: Declaration w/ Fees
Claim: 4
Due Date: 10 May 2005
Deadline: 10 Oct 2005
Recorded: M

MAR 14 2005

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SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because Not a page for page substitution.
- Total additional claim fee(s) for this application is **\$50** *(\$0. (24 claims, claim 13 was canceled. See attached PRELIMINARY AMENDMENT FILED WITH APPLICATION.)*
- ~~\$50~~ for 5 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,968	PCT/GB03/01595	PG4715USw

FORM PCT/DO/EO/905 (371 Formalities Notice)

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